

# MANDATE

## United States Court of Appeals For the First Circuit

05-10214  
USDC/MA  
Wolf, M

No. 07-1987

UNITED STATES,  
Appellee,

v.

FLORENTINO RUIDIAZ, JR.,  
Defendant - Appellant.

### JUDGMENT

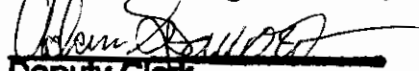
Entered: August 28, 2007  
Pursuant to 1st Cir. R. 27.0(d)

By order entered 7/03/07, appellant was directed to show cause in writing as to why this appeal should not be dismissed as duplicative of Appeal No. 07-1988. Appellant was warned that failure to respond by 7/17/07 would lead to dismissal for lack of diligent prosecution.

Appellant having failed to file a timely response, it is hereby ordered that the above-captioned appeal be dismissed in accordance with Local Rule 3.0(b). Defendant's appeal shall proceed under No. 07-1988.

**Certified and Issued as Mandate  
under Fed. R. App. R 41.**

**Richard Cushing Donovan, Clerk**

  
**Deputy Clerk**

**Date:** 9/19/07

By the Court:  
Richard Cushing Donovan, Clerk

By: **MARGARET CARTER**  
Margaret Carter, Chief Deputy Clerk

[cc: Dina M. Chaitowitz, AUSA, James E. Arnold, AUSA, Robert S. Sinsheimer, Esq.,  
Florentino Ruidiaz, Jr., Defendant]